

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

MICHAEL D. ROSE, *ET AL.*,

Plaintiffs,

vs.

Civil Action No. 5:22-cv-00405

**JEFF S. SANDY, individually and
in his official capacity as the Cabinet Secretary of the
West Virginia Department of Homeland Security, *ET AL.*,**

Defendants.

ORDER

On January 23, 2024, came the parties before the undersigned all for a hearing on the *Plaintiffs’ Motion to Compel Defendant Wexford Health Sources, Inc., to Respond Fully and Adequately to Plaintiffs’ Second Set of Discovery* (ECF No. 839) and the Defendant Wexford Health Sources, Inc. (“Wexford”) *Response in Opposition to Plaintiffs’ Motion to Compel Defendant Wexford Health Sources, Inc. to Respond Fully and Adequately to Plaintiffs’ Second Set of Discovery* (ECF No. 842). After hearing arguments in support of their respective positions, the parties were able to reach an agreement concerning certain outstanding discovery requests, Requests for Production Numbers 1, 3, and 4: the Plaintiffs have agreed to narrow their requests to include only the names of inmates who have been incarcerated at the Southern Regional Jail for over forty-five (45) days from June 26, 2022 to present; and Wexford may produce responsive documentation in .pdf format, but will explore whether it can provide same in native format, if that can be more easily managed rather than producing responsive discovery in .pdf format.


Based on the foregoing agreement, the *Plaintiffs’ Motion to Compel Defendant Wexford*

Health Sources, Inc., to Respond Fully and Adequately to Plaintiffs' Second Set of Discovery
(ECF No. 839) is hereby **MOOT**.

The Clerk is directed to **TERMINATE** the Motion and to distribute a copy of this Order to all counsel of record.

ENTER: January 24, 2024




Omar J. Aboulhosen
United States Magistrate Judge